

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

1:05-cr-10081-MLW-ALL

UNITED STATES OF AMERICA

v.

ALEX S. NEWMAN

**DEFENDANT'S RESPONSE TO GOVERNMENT'S REQUEST
FOR JURY INSTRUCTIONS**

The Defendant Alex S. Newman, through counsel, responds as follows to the Government's Request for Jury Instructions:

1. The Defendant opposes the Government's Proposed Instruction No. 1 on the grounds that it is an overbroad, vague and general statement of agency that would permit the jury to convict the Defendant for conduct that is not, under the circumstances of this case, properly attributable to him.

2. The Defendant does not oppose the Government's Proposed Instructions Nos. 2, 3, 4, 5, 6, & 7.

Respectfully submitted,
Alex Newman
By his attorney,

/s/ Juliane Balliro
Juliane Balliro (BBO#028010)
WolfBlock
One Boston Place
Boston, MA 02108
617-226-4000

Dated: January 6, 2006

CERTIFICATE OF SERVICE

I hereby certify that, on January 6, 2006, I caused a copy of the foregoing to be filed electronically and via electronic mail to:

AUSA Robert M. Kinsella
53 Pleasant St., 4th Floor
Concord, New Hampshire 03301
robert.kinsella@usdoj.gov

_____/s/ Juliane Balliro_____
Juliane Balliro